

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SECOND AMENDMENT ARMS, et. al.,) Civil Case No: 1:10-cv-4257
Plaintiffs,) Hon. Robert M. Dow, Jr.
v.) U.S. District Judge
)
CITY OF CHICAGO, et. al.,) Hon. Sheila M. Finnegan
Defendants.) U.S. Magistrate Judge
)

PLAINTIFFS' UNOPPOSED MOTION TO ENLARGE TIME
TO FILE RESPONSE TO DEFENDANTS' MOTION TO DISMISS

Now comes Plaintiffs, SECOND AMENDMENT ARMS (a d/b/a of R. Joseph Franzese), R. JOSEPH FRANZESE, individually and d/b/a SECOND AMENDMENT ARMS, ROBERT M. ZIEMAN, SR., ICARRY, an unincorporated Association (a d/b/a of Shaun Kranish), and SHAUN A. KRANISH, by and through his attorney, Walter Maksym, and respectfully request that they be granted an extension of time within which to file their Response to Defendants' Motion to Dismiss Second Amended Complaint, stating as follows:

1. On November 8, 2011, pursuant to Defendants' unopposed motion, this Court entered an order giving Plaintiffs until December 14, 2011 to file their response to Defendants' Motion to Dismiss Second Amended Complaint and Defendants until January 4, 2012 to reply. (Doc. 63)

2. By reason of Plaintiffs' counsel's recent need to replace an unexpected failed computer hard-drive and operating system, combined with the disruption of his practice caused thereby effected his ability to complete and timely file his clients' Response to Defendants' Motion to Dismiss Second Amended Complaint, it has become necessary to request an extension of time to file same.

3. Further, for the foregoing reasons combined with pressing obligations and demands relating to his practice, the undersigned counsel, a sole-practitioner and the only attorney of record for Plaintiffs and knowlegible with respect to this matter, needs an extension of time within to file a proper Response and Memorandum.

4. Plaintiffs' counsel has conferred with Defendants' counsel, William Aguiar, who has indicated that he and his clients have no objection to this request for extension of time, provided the time for Defendants' to file their reply thereto is similarly extended.

5. Defendants have not opposed the Defendants' prior requests for extension of time.

6. This Motion is timely made in good faith for purposes of necessity only in order to obtain additional time to complete and file Plaintiffs' Second Amended Complaint, and not for purposes of delay.

7. Plaintiffs' counsel verifies this Motion pursuant to the Certification hereto.

WHEREFORE, Plaintiff respectfully prays that this Court enter an order extending the time for them to file their Response to Defendants' Motion to Dismiss Second Amended Complaint fourteen (14) days to December 28, 2011, extend the time for Defendants to file their reply to January 18, 2011 and grant such other further relief as this Court may deem fair, just and proper in the premises.

Respectfully submitted,

R. Joseph Franzese D/B/A/ Second
Amendment Arms, Robert M. Zieman,
Sr., Icarry, Shaun A. Kranish, and
Tony Kole, Plaintiffs,

By /s/ Walter Maksym

Walter Maksym, their attorney

VERIFICATION BY CERTIFICATION

The undersigned attorney certifies that he has read the foregoing instrument, that to the best of his knowledge, information, and belief, formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

/s/ Walter Maksym

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